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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(COMM) 108/2025**

STAR INDIA PVT LTD

.....Plaintiff

Through: Mr. Sidharth Chopra, Mr. Yatinder Garg, Ms. Disha Sharma and Ms. Rimjhim Tiwari and Ms. Isha Singh, Advs.

versus

IPTV SMARTER PRO & ORS.

.....Defendants

Through: Mr. Avish Sharma, Adv. for D-1, 4 & 36.

Ms. Mrinal Ojha, Mr. Debarshi Dutta, Mr. Arjun Mookerjee, Ms. Nikita Rathi and Mr. Nikhil Gupta, Advs. for D-7.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

29.05.2025

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I.A. 14129/2025 (*for Stay*)

1. The plaintiff filed the captioned suit for permanent injunction restraining the illegal and unlawful activities by defendant nos.1 to 4 and other unknown defendants (*rogue websites*) from infringement of copyright and broadcast reproduction rights.

2. In an accompanying application, *vide* order dated 10.02.2025 this Court had granted *ex parte ad interim* injunction to the plaintiff, whereby the said rogue websites as also their respective Domain Name Registrars (*DNRs*) were directed to lock and suspend all associated domains/ URLs/ UIs, as also to the Internet Service Providers (*ISPs*) to suspend access to

the same. Additionally, the plaintiff was also granted the liberty to implead newly identified domains/ URLs/ UIs, as and when discovered during the course of the proceedings.

3. Pursuant thereto, the plaintiff has been filing as many as seven impleadment applications for bringing on record three new mobile application (rogue mobile applications) and 16 new rogue domains/ URLs/ UIs engaged in illegally broadcasting the plaintiff's content without authorisation.

4. *Vide* the present application, the plaintiff seeks further directions to facilitate timely and effective action against newly impleaded rogue websites as well as rogue mobile applications and their associated domains/ URLs/ UIs that are infringing the plaintiff's exclusive content, and to enable real-time blocking of such platforms in relation to the ongoing and the upcoming sporting events, such as the Indian Premier League 2025, as also the forthcoming England Tour of India 2025 scheduled to commence during the vacation from 01.06.2025 to 30.06.2025, amongst others.

5. In support of the above, learned counsel appearing for the plaintiff submits that the procedural limitation of approaching this Court repeatedly on discovery of new websites and rogue mobile applications, especially in view of the upcoming vacation from 01.06.2025 to 30.06.2025, poses a serious risk of substantial and irreparable harm to the plaintiff especially in view of the imminent and high-value sporting events as aforementioned. Learned counsel hence prays that a case for grant of real-time blocking relief against rogue websites and rogue mobile applications that may be discovered has been made out by the plaintiff.

6. For the aforesaid, learned counsel for the plaintiff places reliance on the order passed by this Court in a separate suit bearing no.CS(COMM) 266/2025 entitled ***Star India Private Limited v. <https://crichdplayer.org> & Ors.*** wherein a real-time injunction was granted *qua* the Indian Premier League 2025, *albeit* with respect to rogue websites and not rogue mobile applications extending to their associated domains/ URLs/ UIs.

7. Learned counsel further places reliance on the case bearing no.CS (COMM) 688/2023 entitled ***Star India Pvt. Ltd. & Anr. v. Jiolive.Tv and Ors.*** wherein this Court emphasised the necessity of blocking rogue websites on a real-time basis in connection with sporting events, amongst numerous other orders passed by this Court wherein real-time relief has been granted.

8. In view thereof, learned counsel lastly submits that the prayers sought in the present application may be restricted only till 03.07.2025 and not any further.

9. Learned counsel for the defendant no.7 opposes the grant of the aforesaid relief(s), particularly, since the relief(s) sought for by the plaintiff in the present application are beyond the reliefs sought for in the present suit.

10. This Court has heard learned counsel for the parties as also gone through the pleadings and documents on record.

11. The plaintiff is the true owner of the exclusive rights in respect of its content, either originally made or through broadcasting rights acquired by it, and has also obtained an *ex parte ad interim* injunction order dated 10.02.2025 from this Court. There is also no doubt that the rogue websites, as also the rogue mobile application and their associated

domains/ URLs/ UIs are operating without any *bona fide*, with a predominant intention of infringing content on their interfaces and an organised nature of infringement, with complete disregard for the intellectual property rights of the plaintiff.

12. In the new age of technology, today it has become increasingly easy and convenient for infringers to create alpha-numeric/ mirror/ redirect variants of infringing websites, and by the time impleadment and extension of relief(s) can take place, certain time-sensitive infringing activities like live streaming of sporting events have already commenced illegally and by the time the effected party like the plaintiff approaches this Court, it is too late. Even otherwise, the post blocking scenario is also a race against time since new alpha-numeric/ mirror/ redirect variants of infringing websites spawn in the spur of the moment in these rapid times. Under such circumstances, this Court has repeatedly held that real-time relief is warranted in order to not let the rights of plaintiff(s) like the plaintiff herein be rendered otiose in the virtual world.

13. Further, though the real-time relief granted by this Court in earlier proceedings were pertaining to rogue websites and not rogue mobile applications, in the considered opinion of this Court there is neither any impediment nor any harm caused to any of the effected parties if the same relief as granted in cases of rogue websites are also granted/ benefit(s) thereof are also extended to rogue mobile applications and their associated domains/ URLs/ UIs which are also predominantly and flagrantly violating the intellectual property rights of the plaintiff as well. At the end of the day, this Court is dealing with the intellectual property rights of the copyright owner, the plaintiff herein, and the mode of use/ dissemination/

activity is/ can hardly be of any concern. This is, thus, a *superlative injunction*, which, for ease of reference can easily be referred to as an extended version of the available *dynamic+ injunction*, as the said *superlative injunction* also opens up an additional route for the plaintiff(s) to avail the grant of real-time relief(s) against the infringing activities of ‘rogue’ defendant(s) irrespective of the mode(s) thereof.

14. In the aforesaid circumstances, it is felt appropriate by this Court to not only extend the reliefs granted *vide* order dated 10.02.2025 to the newly impleaded defendants, but also grant real-time relief *qua* rogue websites and rogue mobile applications which may be discovered during the course of the present proceedings.

15. Accordingly, till 03.07.2025:-

a. The defendant nos.5 to 8 and 28 to 30, its directors, partners, officers, affiliates, and all others in capacity of principal or agent acting for and on their behalf or anyone claiming through, by or under it, are directed to suspend the domain name registration of infringing domains/ URLs/ UIs notified by the plaintiff on real time basis, as also to disclose complete details such as name and address, along with payment details *qua* the said rogue websites and rogue mobile applications;

b. The defendant nos.9 to 16 its directors, partners, officers, affiliates, and all others in capacity of principal or agent acting for and on their behalf or anyone claiming through, by or under it are directed to block access to infringing domains/ URLs/ UIs notified by the plaintiff on a real-time basis;

c. Defendant no.17 and 18 are directed to ensure compliance by

the ISPs.

16. In view thereof, in the considered opinion of this Court there is no requirement of issuance of any notice to any of the defendants.

17. Accordingly, the present application is disposed of with the aforesaid directions.

SAURABH BANERJEE, J

MAY 29, 2025/bh